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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,718	02/08/2002	Christopher D. Paulson	01-996	4001

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EXAMINER

MARCELO, MELVIN C

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,718

Applicant(s)

PAULSON ET AL.

Examiner

Melvin Marcelo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-5 and 8-20 is/are allowed.
6) ☒ Claim(s) 6 and 7 is/are rejected.
7) ☒ Claim(s) 10, 15 and 19 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 10, 15 and 19 are objected to because of the following informalities:

Claim 10, line 10, "a duration" should be --a first duration--; while 'first' is implicit in the former phrase, the terminology should be consistent with the explicit expression "said first duration" in claim 17, line 4 and claim 18, lines 1-2 in order to avoid any confusion.

Claim 15, line 4, "a second gap number" is confusing since there is no prior mention of 'a first gap number'. It is not clear whether the phrase should be better expressed as --a second valid gap value.

Claim 19, line 3 is missing a period to end the sentence.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6, line 9, "said second burst value" lacks a proper antecedent basis. It is not clear whether the phrase should be --said first gap value--.

Allowable Subject Matter

4. Claims 1-5 and 8-20 are allowed.
5. Claims 6 and 7 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record such as Pearl (US 2002/0167930 A1), Ophir et al. (US 2002/0110142 A1) and Jo et al. (US 2002/0071511 A1) teach monitoring the burst/transmit intervals and idle/gap periods, but does not teach the particular apparatus with registers for storing burst value and gap value for generating an idle signal in a transmit state corresponding to the burst value duration and an idle state corresponding to the gap value duration, and for generating a status signal in a presence state and a loss state corresponding to the burst value and gap value, respectively.

Independent Claims

1. An apparatus comprising:

a plurality of writeable registers configured to store (i) a first burst value and (ii) a first gap value;

a control circuit configured to generate an idle signal (i) in a transmit state for a first duration determined by said first burst value and (ii) in an idle state for a second duration determined by said first gap value signal in response to a first command signal; and

a transmitter circuit configured to (i) enable transmitting while said idle signal is in said transmit state and (ii) disable transmitting while said idle signal is in said idle state.

10. An apparatus comprising:

a plurality writeable registers configured to store (i) a first burst value and (ii) a first gap value;

a receiver circuit configured to generate a status signal having a loss state and a presence state in response to a received signal; and

a control circuit configured to generate a first detection signal in response to detecting a predetermined number of valid bursts each separated by a valid gap in said status signal, wherein (i) each said valid burst has a duration in said presence state proportional to said first burst value and (ii) said each valid gap has a second duration in said loss state proportional to said first gap value.

20. An apparatus comprising:

means for writeably storing (i) a first burst value and (ii) a first gap value;

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means for generating an idle signal (i) in a transmit state for a first duration determined by said first burst value and (ii) in an idle state for a second duration determined by said first gap value in response to a first command signal; and

means for (i) enabling transmitting while said idle signal is in said transmit state and (ii) disabling transmitting while said idle signal is in said idle state.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Marcelo whose telephone number is 571-272-3125. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Melvin Marcelo
Primary Examiner
Art Unit 2662

December 11, 2005